

**EXHIBIT A**

STATE OF INDIANA                    )  
  )  
COUNTY OF PORTER                )        SS:

AFFIDAVIT

I, Luis M. Galvan, first being duly sworn upon oath states as follows:

- 1.) My name is Luis M. Galvan; I am a staff attorney with the Federal Defender Program in Chicago, Illinois. I was appointed to represent Hatem Fariz in this district by the Honorable Milton I. Shadur.
- 2.) On September 29, 2006 I presented a motion to Judge Shadur seeking to reset Mr. Fariz's surrender date to the first week of November.
- 3.) I appeared on September 29, 2006 at 9:00 a.m. but A.U.S.A. Joseph Ferguson did not show up. We made various efforts to locate Mr. Ferguson but were unsuccessful.
- 4.) Judge Shadur was reluctant to grant the month long continuance without hearing the reasons why the government might be objecting. The government had not filed written objections.
- 5.) The Judge did grant a short continuance to give the government a chance to state its objections on the record.
- 6.) On October 6, 2006 Ferguson and I appeared before Judge Shadur regarding the continuance.
- 7.) Mr. Ferguson made several objections on the record and all were summarily rejected by Judge Shadur. The court wound up giving Mr. Fariz until October 31, 2006 to surrender.

Further the affiant sayeth not,

*Luis Galvan*

Affiant

*Rebecca A. Hickey*

Notary Public

